

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
Estate of VALERIE YOUNG by VIOLA YOUNG, :
as Administratrix of the Estate of Valerie Young, :
and in her personal capacity, et al., :

Plaintiff, :

-against- :

STATE OF NEW YORK OFFICE OF MENTAL :
RETARDATION AND DEVELOPMENTAL :
DISABILITIES, et al., :

Defendants. :

**DEFENDANTS' INITIAL
DISCLOSURES PURSUANT
TO FRCP 26(a)(1)**

07-CV-6241 (LAK)(DCF)

-----X
Defendants State of New York Office of Mental Retardation and Developmental Disabilities ("OMRDD"), Brooklyn Developmental Disabilities Service Office ("BDDSO") Director Peter Uschakow, Deputy Director Operations Jan Williamson, Residential Unit Supervisor Gloria Hayes, Treatment Team Leader Kathleen Ferdinand and Medical Doctor Jovan Milos, and Hudson Valley Developmental Disabilities Services Office ("HVDDSO") Deputy Director Operations Suresh Arya, in their official capacities and individually ("Defendants"), by their undersigned counsel make the following initial disclosures under Fed. R. Civ. P. 26(a)(1):

I. The following individuals are likely to have discoverable information relevant to disputed facts alleged with particularity in the pleadings and in support of their defenses:

(a) BDDSO Director Peter Uschakow. He is familiar with the policies and practices of OMRDD with regard to medical care and treatment provided to decedent Valerie Young at BDDSO;

(b) BDDSO Deputy Director Operations Jan Williamson. He is familiar with the policies and practices of OMRDD with regard to medical care and treatment provided to decedent Valerie Young at BDDSO;

(c) BDDSO Residential Unit Supervisor Gloria Hayes. She is familiar with the medical care and treatment provided to decedent Valerie Young at BDDSO;

(d) BDDSO Treatment Team Leader Kathleen Ferdinand. She is familiar with the medical care and treatment provided to decedent Valerie Young at BDDSO;

(e) BDDSO Medical Doctor Jovan Milos. He is familiar with the medical care and treatment provided to decedent Valerie Young at BDDSO; and,

(f) HVDDSO Deputy Director Operations Suresh Arya. He is familiar with the medical care and treatment provided to decedent Valerie Young at BDDSO.

Upon information and belief, there may be additional witnesses, including individuals employed at BDDSO, whose identities are presently unknown to the defendants.¹ Accordingly, defendants reserve the right to supplement this response in the event that additional information comes to the attention of or are identified and/or located by the defendants or their counsel.

2. The description and location of documents in the possession, custody and control of the defendants that are relevant to disputed facts alleged with particularity in the pleadings and in support of their defenses consist of documents that were made as part of the regular practice of business activity by BDDSO. In addition to the Complaint and Answer, CV-07-0028 (FB)(MLO), these documents include decedent Valerie Young's clinical records, investigation materials, mortality review, autopsy report, interoffice memorandums, conference meeting summaries, incident

¹ The following are individuals who also reviewed and/or investigated the death of Valerie Young: (1) Dr. J. Beer, Quality Assurance Coordinator; (2) Dr. N. Mirza, BDDSO Physician; (3) Dr. V. Capati, BDDSO Neurologist; (4) Dr. S. Delbrune, Psychiatrist; (5) Dr. S. Palaganas, BDDSO Physician; (6) Dr. V. Sharobeem, BDDSO Physician; (7) Dr. I. Madhoun, BDDSO Physician; (8) Dr. J. Bautista, BDDSO Physician; (9) Dr. J. Hahn, BDDSO Physician; and (10) Mark Rappaport, Division of Quality Assurance and Investigation.

or investigation reports, reportable incident reports, and allegation of abuse reports.

The relevant electronic systems that OMRDD BDDSO has had in place are electronic mail ("email") and word processing documents. OMRDD does not have a widely used document management system. Documents are stored on a workstation hard disk. Documents kept on a workstation are subject to user-implemented retention and back-up procedures.

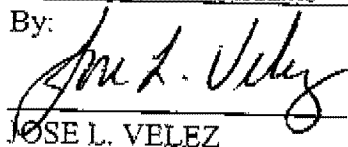
These documents and other records that become available will be provided during the course of discovery.

3. The computation of damages is not applicable to defendants.
4. There are no insurance agreements that are applicable.

Dated: New York, New York
October 9, 2007

ANDREW M. CUOMO
Attorney General of the
State of New York
Attorney for Defendants

By:



JOSE L. VELEZ
Assistant Attorney General
120 Broadway, 24th Floor
New York, N.Y. 10271
Tel. (212) 416-8164

To: JACQUES CATAFAGO, ESQ.
The Catafago Law Firm, P.C.
Empire State Building
350 Fifth Avenue, Suite 4810
New York, NY 10118
(212) 239-9669